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Viewing cable 09CARACAS54, CHAVEZ BROADENS AMENDMENT LANGUAGE/OPPOSITION FINALLY BEGINS TO REACT

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Reference ID	Created	Released	Classification	Origin
09CARACAS54	2009-01-15 21:06	2011-08-30 01:44	CONFIDENTIAL	Embassy Caracas

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SUBJECT: CHAVEZ BROADENS AMENDMENT LANGUAGE/OPPOSITION FINALLY BEGINS TO REACT

Classified By: ACTING POLITICAL COUNSELOR DANIEL LAWTON, FOR REASON 1.4(D)

[¶1](#). (C) Summary: President Chavez revised his amendment

proposal January 5 to remove term limits for all elected officials, strengthening his argument that the proposal would "expand the political rights" of Venezuelans to choose how long to keep all officials -- not just the president -- in office. As planned, the National Assembly (AN) approved the amendment a second time January 14, and the National Electoral Council (CNE) will almost certainly move forward to hold the referendum by February 15, the Venezuelan President's preferred date. With a month to go before the election, opposition and student groups have finally begun to kick their "No" campaigns into gear. End Summary.

AMENDMENT APPROVED BY AN

¶2. (SBU) The Chavista-dominated AN overwhelmingly approved January 14 for a second time the amendment proposal to eliminate term limits for all elected officials. The next step is for the AN to send the proposal to the CNE, which can then formally announce the convocation of the referendum, presumably on Chavez's preferred date of February 15. During the assembly proceedings, which lasted about eight hours, AN president Celia Flores accused opposition-oriented cable news network Globovision of trying to "manipulate" public opinion. Luis Tascon, who was kicked out of the PSUV last year, announced January 15 that he opposed the concept of indefinite reelection because of its unconstitutionality, but voted nonetheless in favor of the amendment. He defended his decision by asserting that he feared the return of the Copei and Democratic Action opposition parties and as a result "remains with Chavez." Only the Podemos party AN deputies and a few former PSUV members voted against the amendment proposal.

¶3. (C) Chavez announced January 5 that he was changing the wording of the proposed constitutional amendment to remove term limits for all elected officials. He almost certainly hopes to broaden its appeal among Chavista officials whose own political careers would otherwise be curtailed by term limits. The referendum question wording now asks voters whether they would approve an amendment to "expand the political rights of the people" to permit any popularly elected public official to be reelected indefinitely. The small pro-government party, Patria Para Todos (PPT), had lobbied for lifting term limits for all elected officials. Prior to January 5, Chavez and other senior GBRV officials argued strenuously that the amendment should only apply to the presidency before Chavez's surprise change of heart.

¶4. (SBU) The opposition has fought back against the altered proposal, calling the referendum question "fraudulent." Maria Corina Machado, a representative of the civil society organization Sumate, criticized January 14 the short period of time Chavez has permitted for the referendum, pointing out that it took eight months to prepare for the state and local elections in November 2008. She added that the Chavez administration had argued in the run-up to the unsuccessful presidential recall referendum in 2004 that the CNE merely had to call for a referendum -- but not hold it -- within 30 days. Now, the GBRV was changing its argument to claim that the constitution required that the referendum be held within 30 days.

STUDENTS BECOMING MORE VISIBLE

¶5. (C) Several hundred student activists from Andres Bello Catholic University, Simon Bolivar University, the Metropolitan University (Unimet), and Monte Avila marched on Caracas, distributed fliers, and blocked roads starting early in the morning January 14 to protest Chavez's amendment proposal. In an isolated but highly-publicized incident, police responded to Unimet students who tried to block the Petare-Guarnenas highway by using water cannons and tear gas. It appears that no students were seriously injured in the confrontations. The protests, although not remarkable in

their size, received front-page coverage by the pro-opposition press, highlighting the continuing significance of the student activist movement.

¶6. (C) Two student groups submitted solicitations January 14 to the Supreme Court (TSJ), asking for a halt to the referendum proceedings to permit a reopening of the electoral registry (REP). Student leader Jose Manuel Olivares of the Central University of Venezuela (UCV) complained that the CNE's decision to close the REP would deny approximately 300,000 youths -- presumably who have turned 18 since the last election -- their right to vote. While it is highly unlikely the TSJ will respond in favor of the student petitions, the students are calling public attention to the significant number of people from all parts of the political spectrum who will be denied a vote, essentially on a technicality, due to Chavez's rush to hold the referendum.

COMMENT

¶7. (C) Chavez's decision to change the language of the amendment proposal to remove term limits for all elected officials, rather than just the presidency, appears to be an astute one. He has bolstered his argument, albeit farfetched, that he is "strengthening democracy" by allowing the electorate -- rather than the constitution -- to determine how long all elected officials stay in office. The new language also gives Chavista governors and mayors more incentive to turn out their base in February, since virtually all elected officials are currently subject to term limits. The move shores up support from small but active pro-government parties. Although Chavez has been stoking his electoral machine for well over a month, the opposition finally appears to have returned from their holiday break and are beginning to invigorate their own "No" campaign. It remains to be seen, however, whether they can find a unifying strategy in time for February 15 and mobilize voters to the polls. End Comment.
CAULFIELD